

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

Radio

Plaintiff

v.

R.J. Reynolds
DefendantCONSENT TO EXERCISE OF JURISDICTION BY
A UNITED STATES MAGISTRATE JUDGE AND
ORDER OF REFERENCE

Case Number: 04-10006-WBY

NOTICE OF AVAILABILITY OF A MAGISTRATE JUDGE TO EXERCISE
OF JURISDICTION AND APPEAL

In accordance with the provisions of Title 28, U.S.C. 636(c), and Fed.R.Civ.P.73, you are hereby notified that a United States magistrate judge of this district court is available to exercise the court's jurisdiction and to conduct any or all proceedings in this case including a jury or nonjury trial, and entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

Copies of the Form for the "Consent to Exercise of Jurisdiction by a United States Magistrate Judge and Order of Reference" are available from the clerk of the court.

CONSENT TO EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 28 U.S.C. 636(c) and Fed.R.Civ.P.73, the parties in this case hereby voluntarily consent to have a United States magistrate judge conduct any and all further proceedings in the case, including the trial, and order the entry of a final judgement.

Signatures

Party Represented

Date

MacArthur for
Robert P.

RJR Reynolds
Mr H H B

2/2/04

Any appeal shall be taken to the United States court of appeals for this circuit, in accordance with 28 U.S.C. 636(c) and Fed.R.Civ.P. 73(c).

ORDER OF REFERENCE

IT IS HEREBY ORDERED that this case be referred
to

United States Magistrate Judge, for all further proceedings and the entry of judgment in accordance with 28 U.S.C. 636(c), Fed.R.Civ.P. 73 and the foregoing consent of the parties.

2/2/04
Date

William B. Young
United States District Judge

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.